

STEPHEN A. KING – SB# 224683
LAW OFFICES OF STEPHEN A. KING
9701 Wilshire Blvd, 10th Floor
Beverly Hills, California 90212
Phone (310) 598-6703
Fax (310) 499-5288

Attorney for Plaintiff,
ALICE GONZALEZ

11 MAY -6 AM 11:54
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY: _____

FILED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION

ALICE GONZALEZ, an individual,
PLAINTIFF,

vs.

COUNTY OF VENTURA, a municipal
corporation; DEPUTY JOEL KLINE,
individually, and in his official capacity as
a Sheriff Deputy for the County of
Ventura; and DOES 1 through 10,
inclusive,

Defendants.

CASE NO:

CV11-03916 GAF (MRWX)

COMPLAINT FOR DAMAGES:

CIVIL RIGHTS VIOLATIONS
PURSUANT TO 42 U.S.C. § 1983

[DEMAND FOR JURY TRIAL]

I.**INTRODUCTION**

This is a case about deliberate indifference to the consequences of its actions by the Ventura County Sheriff Department, COUNTY OF VENTURA, Sheriff Deputy JOEL KLINE, and DOES 1-10 Inclusive, upon the person of PLAINTIFF while PLAINTIFF was under the custody, care and control of said DEFENDANTS. Deliberate indifference to PLAINTIFF'S safety and serious medical needs are the crux of PLAINTIFF'S claim.

On or about 3:20 p.m. May 7, 2009, SHERIFF DEPUTIES of VENTURA COUNTY, while acting under color of law, acted with deliberate indifference to the consequences of its actions by knowingly failing to take measures to protect against a known dangerous condition. Defendants, and each of them, did not properly maintain a leak which formed a puddle of water that caused PLAINTIFF to fall while in handcuffs in violation of PLAINTIFF's federal constitutional rights to be free from unwarranted governmental intrusion and abuse in the form of creating a dangerous condition. PLAINTIFF'S fall while under the custody and control of DEFENDANTS caused PLAINTIFF to suffer severe physical injury, emotional distress and damage to her person. As a result of the DEFENDANT'S actions ALICE GONZALEZ suffered, a shoulder injury, a knee injury, swollen knee, injuries to her back, fractured wrist, swollen hand,

1 fractured finger, leg bruises, chest pains, sore ribs, and numbness of hands, arms
2 and shoulders from handcuffs. DEFENDANTS further acted with deliberate
3 indifference to PLAINTIFF'S safety and serious medical needs by failing to offer
4 medical assistance for her fall and subsequent injuries, rather the deputies teased
5 and ridiculed PLAINTIFF.
6

7
8 **II.**

9 **JURISDICTION AND VENUE**

10 1. This action arises under Title 42 of the United States Code, Section
11 1983. Jurisdiction is conferred upon this Court by title 42 of the United States
12 Code, Sections 1983 and Cal Gov Code Section 835 (2011). Venue is proper in
13 the United States District Court for the Central District of California because the
14 unlawful acts and practices alleged herein occurred in the County of Ventura,
15 California, which is within this judicial district.
16
17

18 **III.**

19 **PARTIES**

20
21 2. PLAINTIFF ALICE GONZALEZ ("PLAINTIFF") is and was at all
22 times mentioned herein a citizen of the United States of America and a resident
23 of California living in Oxnard, CA.
24

25 3. Defendant COUNTY OF VENTURA is a municipal corporation,
26 duly organized and existing under the laws of the State of California. The
27

COUNTY operates under its authority the Sheriff's Department. It is responsible for the policies, procedures, and practices implemented through its various agencies, agents, departments, and employees, and for the injury occasioned thereby. It was also the public employer of defendant's DEPUTY JOEL KLINE, and DOES 1 THROUGH 10, inclusive, at all times relevant to this Complaint. It was at all times herein relevant directing and controlling the law enforcement officials who committed the unlawful conduct complained of herein.

4. Ventura County Sheriff Deputies JOEL KLINE and DOES 1 THROUGH 10, inclusive, are defendants in this case and are being sued individually and in their official capacities as law enforcement officers. At all times relevant herein, they acted under color of state law and were acting under the control and direction of COUNTY.

5. At all times mentioned herein, defendant DEPUTY JOEL KLINE was employed by Defendant COUNTY as a deputy sheriff. He is being sued individually and in his official capacity as a deputy sheriff for the COUNTY.

6. PLAINTIFF is ignorant of the true names and capacities of Defendants DOES 1 THROUGH 10, inclusive, and therefore sues these defendants by such fictitious names. PLAINTIFF is informed and believes and thereon alleges that each Defendant so named is responsible in some manner for the injuries and damages sustained by PLAINTIFF as set forth herein.

1 PLAINTIFF will amend the Complaint to state the names and capacities of
2 DOES 1 THROUGH 10, inclusive, when they have been ascertained.

3 7. In engaging in the conduct described herein, defendant's DEPUTY
4
5 JOEL KLINE and DOES 1 THROUGH 10 acted under the color of law and in
6 the course and scope of their employment with Defendant COUNTY. Defendant
7 COUNTY is liable for the wrongful acts of its defendant officers alleged herein
8
9 under the principles of respondent superior. In engaging in the conduct described
10 herein, Defendants acted with deliberate indifference to the consequences of their
11 actions.

12
13 8. The statute of limitations for filing this action is May 7, 2011.

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

IV.

FACTS MATERIAL TO ALL CAUSES OF ACTION

9. On May 7, 2009 at or about 3:20 p.m., PLAINTIFF was riding in the passenger seat of her friend's car near her home at 5271 Squires Dr., Oxnard, CA 93033.

10. PLAINTIFF friend's car was pulled over by the Ventura County Sheriff's Deputy in a marked vehicle.

11. PLAINTIFF was not under the influence of any mind altering substances. PLAINTIFF gave her drivers license to the deputies upon request.

12. PLAINTIFF was arrested as a passenger in the car for a traffic ticket that had become a warrant without PLAINTIFF'S knowledge.

13. PLAINTIFF was then transported to the Sheriff's Department complex located at 800 S. Victoria Blvd., Ventura CA for booking.

14. PLAINTIFF'S hands were handcuffed behind her back during the booking process.

15. While being booked PLAINTIFF fell on what appeared to her as aged water on the floor.

16. PLAINTIFF fell on her left side, injuring her left shoulder, left wrist/hand, fractured left middle finger, and left knee.

1 17. PLAINTIFF'S pants were wet and she had to be helped up to her
2 feet.

3 18. DEFENDANTS knew of this dangerous condition and failed to take
4 protective measures. DEFENDANTS acted with deliberate indifference to the
5 consequences of its actions by allowing a dangerous condition to exist in an area
6 of high activity and footwork.
7

8 19. PLAINTIFF was never offered any medical assistance or given any
9 treatment while she was at the Sheriff's Department complex located at 800 S.
10 Victoria Blvd.
11

12 20. PLAINTIFF was ridiculed and told by a Deputy in a joking fashion
13 that she "fell with grace", as he admitted viewing the fall on camera.
14

15 21. PLAINTIFF was taken to Ventura County Medical County Medical
16 Center at a later time. PLAINTIFF has required physical therapy since June 9,
17 2009 due to this incident.
18

19 22. DEFENDANTS admitted to PLAINTIFF knowing where the water
20 came from earlier during the day yet never bothered to clean it up allowing the
21 dangerous condition to exist.
22

23 23. As a result of Defendant's actions, PLAINTIFF suffered severe
24 emotional distress, and painful physical injuries. Her physical injuries include, a
25 shoulder injury, a knee injury, swollen knee, injuries to her back, fractured wrist,
26
27

1 swollen hand, fractured finger, leg bruises, chest pains, sore ribs, and numbness
2 of hands, arms and shoulders from handcuffs.

3 24. These injuries could have been prevented by Defendant COUNTY
4 and its employees in the Ventura County Sheriff's Department if it had:
5

- 6 a. Taken measures to protect against a dangerous condition;
7
8 b. Properly trained its deputies to recognize and address a
9 known dangerous condition;
10
11 c. Appropriately discipline deputies who knowingly allow a
12 dangerous condition to exist;
13
14 d. Competently investigated the incident complained of herein;
15
16 e. Enacted and enforced policies and practices designed to
17 prevent unlawful harm to citizens and supported said policies
18 with proper discipline.

19
20 **V.**

21 **FIRST CAUSE OF ACTION**
22 **(42 U.S.C. SECTION 1983)**

23 **VIOLATION OF CONSTITUTIONAL RIGHT TO BE FREE**
24 **FROM UNREASONABLE SEIZURES AND EXCESSIVE FORCE**
25 **[AS TO DEFENDANT'S DEPUTY JOEL KLINE AND DOES 1**
26 **THROUGH 10, INCLUSIVE, INDIVIDUALLY AND IN THEIR**
27 **OFFICIAL CAPACITY**
AS DEPUTIES OF THE VENTURA COUNTY SHERIFF'S
DEPARTMENT]

1 25. All preceding paragraphs are incorporated herein by this reference
2
3 as though fully set forth within this cause of action.

4 26. This action is brought pursuant to 42 U.S.C. § 1983, and the Fourth
5
6 and Fourteenth Amendments of the United States Constitution.

7 27. On or before and May 7th, 2009, PLAINTIFF ALICE GONZALEZ
8
9 possessed the right, guaranteed by the Fourth and Fourteenth Amendments of the
10
11 United States Constitution, to be free from unreasonable searches and seizures in
the form of excessive force by police officers acting under color of law.

12 28. DEPUTY JOEL KLINE, and DOES 1 THROUGH 10, inclusive,
13
14 and each of them caused the person of ALICE GONZALEZ to be unreasonably
15
16 injured when they acted with deliberate indifference to the consequences of their
17
18 actions in violation of her rights under the laws and Constitution of the United
19
20 States, in particular the Fourth Amendment of the United States Constitution
21
22 guarantee against unreasonable seizures.

23 29. Thereafter, said DEPUTIES violated PLAINTIFF'S Fourth
24
25 Amendment rights by unlawfully and unreasonably and deliberately allowing
26
27 PLAINTIFF to fall for their amusement.

28 30. JOEL KLINE did not have a legitimate concern for their safety of
the PLAINTIFF when the Defendants allowed the dangerous condition to exist
and took no measures to protect plaintiff against it.

1 31. Said JOEL KLINE acted specifically with the intent to deprive
2 ALICE GONZALEZ of the following rights under the United States
3 Constitution:

- 4 a. Freedom from unreasonable seizures, in the form of the use of
5 excessive force by police officers,
6
7 b. Freedom from a deprivation of liberty without due process of
8 law.
9

10 32. Said defendants acted at all times herein knowing full well that the
11 established practices, customs, procedures and policies of Defendant COUNTY
12 and its employees in the Ventura County Sheriff's Department would allow a
13 cover-up of such an incident of unwarranted police abuse and allow the
14 continued use deliberate indifference to the safety of a suspect in custody in
15 violation of the Fourth Amendment of the Constitution of the United States.
16

17 33. As a direct and proximate result of the aforementioned acts of JOEL
18 KLINE and DOES 1 THROUGH 10, inclusive, ALICE GONZALEZ suffered
19 the violation of her constitutional rights as described above.
20

21 34. By committing the acts complained of herein, JOEL KLINE and
22 DOES 1 THROUGH 10, inclusive acted under color of law to deprive
23 PLAINTIFF of certain constitutionally protected rights, including, but not limited
24 to:
25
26
27

- a. The right to be free from unreasonable searches and seizures as guaranteed by the Fourth and Fourteen Amendments to the United States Constitution;
- b. The right not to be deprived of life or liberty without due process of law, as guaranteed by the Fifth and Fourteenth Amendments to the United States Constitution;
- c. The right to be free from the use of excessive force by police officers, which is guaranteed by the Fourth, Fifth, and Fourteenth Amendment to the United States Constitution;
- d. The right to equal protection of the laws, as guaranteed by the Fourteenth Amendment to the United States Constitution;
- e. The right to be free from law enforcement policies and practices that cause deprivations of Constitutional Rights; and/or,
- f. The right to be free from interference within the zone of privacy, as protected by the Fourth and Ninth Amendments of the United States Constitution;
- g. Defendants failure to timely respond to PLAINTIFF's accident and injuries may state a claim of deliberate indifference to PLAINTIFF's serious medical needs.

1 WHEREFORE, PLAINTIFF prays for relief as hereinafter set forth.

2 **VI.**

3 **SECOND CAUSE OF ACTION**
4 **MUNICIPAL LIABILITY FOR VIOLATION**
5 **OF CONSTITUTIONAL RIGHTS**
6 **(42 U.S.C. SECTION 1983)**
7 **[AS TO DEFENDANT COUNTY OF VENTURA]**

8 35. All preceding paragraphs are incorporated herein by reference as
9 though fully set forth within this cause of action.

10 36. As against Defendant COUNTY and/or DOES 1 THROUGH 10
11 inclusive, in their capacity as official policy-maker(s) for the COUNTY,
12 PLAINTIFF further alleges that the acts and/or omissions alleged in the
13 Complaint herein are indicative and representative of a repeated course of
14 conduct by members of the Defendant COUNTY and its employees in the
15 Ventura County Sheriff's Department tantamount to a custom, policy or repeated
16 practice of condoning and tacitly encouraging the abuse of police authority, and
17 disregard for the constitutional rights of citizens.

18 37. ALICE GONZALEZ is further informed and believes and thereon
19 alleges that the acts and omissions alleged herein are the direct and proximate
20 result of the deliberate indifference of Defendants COUNTY, and DOES 1
21 THROUGH 10, inclusive, and each of them, to repeated acts of police
22
23
24
25
26
27

1 misconduct which were tacitly authorized, encouraged and/or condoned by the
2 Defendant COUNTY, and DOES 1 THROUGH 10, inclusive, and each of them.

3 38. The injuries and damages to ALICE GONZALEZ as alleged herein
4 were the foreseeable and proximate result of said customs, policies, patterns
5 and/or practices of Defendant COUNTY, DOES 1 THROUGH 10, inclusive, and
6 each of them.
7

8 39. PLAINTIFF is further informed and believes and thereon alleges
9 that the damages sustained as alleged herein were the direct and proximate result
10 of municipal customs and/or policies of deliberate indifference in the training,
11 supervision and/or discipline of members of the Defendant COUNTY and its
12 employees in the Ventura County Sheriff's Department.
13

14 40. PLAINTIFF is further informed and believes and upon such
15 information and belief alleges that PLAINTIFF'S damages and injuries were
16 caused by customs, policies, patterns or practices of Defendant COUNTY, and
17 Defendant DOES 1 THROUGH 10, inclusive, and each of them, of deliberate
18 indifference in the training, supervision and/or discipline of Defendant
19 DEPUTIES, DOES 1 THROUGH 10, inclusive, and/or each of them.
20

21 41. The aforementioned customs, policies or practices of Defendant
22 COUNTY, Defendant DOES 1 THROUGH 10, inclusive, and each of them,
23
24
25
26
27

1 resulted in the deprivation of PLAINTIFF'S constitutional rights including, but
2 not limited to, the following:

- 3 a. The right to be free from unreasonable searches and seizures,
4 as guaranteed by the Fourth and Fourteenth Amendments to
5 the United States Constitution;
6
7 b. The right not to be deprived of life or liberty without due
8 process of law, as guaranteed by the Fifth and Fourteenth
9 Amendments to the United States Constitution;
10
11 c. The right to be free from the use of excessive force by police
12 officers, which is guaranteed by the Fourth, Fifth, and
13 Fourteenth Amendments to the United States Constitution;
14
15 d. The right to equal protection of the laws, as guaranteed by the
16 Fourteenth Amendment to the United States Constitution;
17
18 e. The right to be free from law enforcement policies and
19 practices that cause deprivations of Constitutional Rights;
20 and/or,
21
22 f. The right to be free from interference within the zone of
23 privacy, as protected by the Fourth and Ninth Amendments to
24 The United States Constitution.
25

26 42. Said rights are substantive guarantees under the Fourth and/or
27

1 Fourteenth Amendments to the United States Constitution.

2 WHEREFORE, PLAINTIFF prays for relief as hereinafter set forth.

3 **VII.**

4
5 **THIRD CAUSE OF ACTION**
6 **VIOLATION OF CAL GOV CODE § 835 (2011)**
7 **PUBLIC ENTITY LIABLE FOR INJURY CAUSED BY DANGEROUS**
8 **CONDITONS OF THE PROPERTY**
9 **[AS TO DEFENDANTS JOEL KLINE, AND DOES 1 THROUGH 10,**
10 **INCLUSIVE, AS DEPUTIES OF THE VENTURA COUNTY SHERIFF'S**
11 **DEPARTMENT]**

12 43. All preceding paragraphs are incorporated herein by reference as
13 though fully set forth within this cause of action.

14 44. PLAINTIFF alleges that the dangerous condition existed at the time
15 of the injury.

16 45. PLAINTIFF alleges that her injury was proximately caused by the
17 aforementioned dangerous condition.

18 46. PLAINTIFF further alleges that the dangerous condition created a
19 reasonable and foreseeable risk of the kind of injury that occurred.

20 47. DEPUTY JOEL KLINE, and DOES 1 THROUGH 10, inclusive,
21 committed a negligent or wrongful act or omission of Defendant within the scope
22 of their employment created the dangerous condition.
23
24
25
26
27

IX.

PRAYER

WHEREFORE, PLAINTIFF prays for relief as follows:

50. For general damages in a sum of \$150,000.00;

51. For special damages in a sum according to proof;

52. For punitive damages in a sum according to proof;

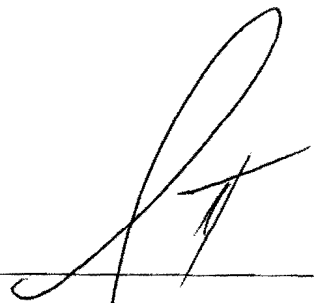
53. For reasonable attorney's fees pursuant to 42 U.S.C. Section 1988,

and other applicable laws;

54. For cost of suit herein incurred; and

55. For such other and further relief as the Court deems just and proper.

DATED this 6 day of May, 2011.



Respectfully submitted,
STEPHEN A. KING

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Gary A. Feess and the assigned discovery Magistrate Judge is Michael Wilner.

The case number on all documents filed with the Court should read as follows:

CV11- 3916 GAF (MRWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Name & Address:

Stephen A. King (SBN 224683)
 Law Offices of Stephen A. King
 9701 Wilshire Blvd, 10th Floor
 Beverly Hills, California 90212
 Phone (310) 598-6703 / Fax (310) 499-5288

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

ALICE GONZALEZ, an individual,

PLAINTIFF(S)

v.

COUNTY OF VENTURA, a municipal corporation;
 (see attached)

DEFENDANT(S).

CASE NUMBER

CV11-03916 GAF(MRW)

SUMMONS

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Stephen A. King (SBN 224683), whose address is 9701 Wilshire Blvd, 10th Floor Beverly Hills, California 90212. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAY - 6 2011

Dated: _____

Clerk, U.S. District Court

JULIE PRADO

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

1 STEPHEN A. KING – SB# 224683
2 LAW OFFICES OF STEPHEN A. KING
3 9701 Wilshire Blvd, 10th Floor
4 Beverly Hills, California 90212
5 Phone (310) 598-6703
6 Fax (310) 499-5288

7 Attorney for Plaintiff,
8 ALICE GONZALEZ

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION**

11
12 ALICE GONZALEZ, an individual,
13 PLAINTIFF,

14 vs.

15
16 COUNTY OF VENTURA, a municipal
17 corporation; DEPUTY JOEL KLINE,
18 individually, and in his official capacity as
19 a Sheriff Deputy for the County of
20 Ventura; and DOES 1 through 10,
21 inclusive,

22 Defendants.
23
24
25
26
27

CASE NO.:

COMPLAINT FOR DAMAGES:

CIVIL RIGHTS VIOLATIONS
PURSUANT TO 42 U.S.C. § 1983

[DEMAND FOR JURY TRIAL]

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) ALICE GONZALEZ, an individual,	DEFENDANTS COUNTY OF COUNTY OF VENTURA, a municipal corporation; (see attached)
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Stephen A. King (SBN 224683) Law Offices of Stephen A. King 9701 Wilshire Blvd, 10th Floor Beverly Hills, California 90212 Phone (310) 598-6703 / Fax (310) 499-5288	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF		<input type="checkbox"/> 1	<input type="checkbox"/> 1		<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF																				
	<input type="checkbox"/> 1	<input type="checkbox"/> 1		<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

☐ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ 150,000.00 *SM*

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
---	--	--	--	--	---

CV11-03916

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or

☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or

☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or

☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides. Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
VENTURA County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides. Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
VENTURA County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
VENTURA County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ **Date** 5-1-11

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

1 STEPHEN A. KING – SB# 224683
2 LAW OFFICES OF STEPHEN A. KING
3 9701 Wilshire Blvd, 10th Floor
4 Beverly Hills, California 90212
5 Phone (310) 598-6703
6 Fax (310) 499-5288

7 Attorney for Plaintiff,
8 ALICE GONZALEZ

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION**

11
12 ALICE GONZALEZ, an individual,
13 PLAINTIFF,

14 vs.

15
16 COUNTY OF VENTURA, a municipal
17 corporation; DEPUTY JOEL KLINE,
18 individually, and in his official capacity as
19 a Sheriff Deputy for the County of
20 Ventura; and DOES 1 through 10,
21 inclusive,

22 Defendants.
23
24
25
26
27

CASE NO.:

COMPLAINT FOR DAMAGES:

CIVIL RIGHTS VIOLATIONS
PURSUANT TO 42 U.S.C. § 1983

[DEMAND FOR JURY TRIAL]